IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 23108 of 2007(A)

PETITIONER:

N.JANARDHANAN NAIR,
MANAGER, K.N.N.M. V.H.S., PAVITHRESWARAM,
KOTTARAKKARA, KOLLAM.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, EDUCATIONAL DEPARTMENT,
THIRUVANANTHAPURAM.

2. DIRECTOR,
VOCATIONAL HIGHER SECONDARY EDUCATION,
THIRUVANANTHAPURAM.

BY GOVT.PLEADER SMT.SUDHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No.23108 of 2007

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Dated this the 3rd day of August, 2007.

J U D G M E N T

Petitioner is stated to be the manager of K.N.N.M Vocational Higher Secondary School, Pavithreswaram at Kottarakkara in Kollam district. The limited prayer that is now pressed before me by the learned counsel is to issue a writ of mandamus or such other appropriate writ, order or direction to the respondents to consider Ext.P4 application submitted by the petitioner to sanction additional batch in Computer Application and Medical Laboratory Technician (MLT) Courses. It is contended by the learned counsel that vocational education in the State is primarily sponsored or funded by the Union of India and almost 75% of the financial liability is borne by it. Though the petitioner has sought to challenge the recent Government order dated June 13, 2007 restricting sanction/upgradation of Schools, Vocational Higher Secondary Schools etc. in some of the districts in the State alone, learned counsel submits that petitioner does not intend to press for an adjudication on that issue at this stage. He submits that petitioner will be satisfied if the Government takes a decision on Ext.P6 application on its merit, because according to him, what is requested for is only sanction of 2 additional batches in the school which will not in any way infringe or violate the clauses contained in the latest order issued by the Government. Anyhow, I do not propose to deal with those contentions at this stage in view of the limited prayer made by the learned counsel at the Bar.

2. Learned Government Pleader submits that the Government will take a decision on Ext.P6 without any delay if it has been submitted by the petitioner, as contended by him.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 and/or 2 to take a decision on Ext.P6 strictly on its merit and in accordance with the relevant regulations, as expeditiously as possible, at any rate within one month from the date of receipt of a copy of this judgment. The authorities concerned shall ensure that petitioner is afforded sufficient opportunity to be heard before a decision is taken in the matter.

4. It is made clear that I have not considered the merit of any of the contentions raised by the petitioner in the writ petition.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before the authorities for compliance.

A.K. Basheer
Judge.

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